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I Frank Hall of Central City Colorado Territory do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of, any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended Government, authority, power or Constitution within the United States hostile or inimical thereto. And I do further swear (or affirm) that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Frank Hall

Sworn to and subscribed before me this fifteenth day of May A.D. 1869.

Wm. R. Gorsline
Associate Justice of the Supreme
Court of Colorado Territory

McCook's oath

Territory of Colorado }
County of Arapahoe } ss
McCook

I Edward M. McCook of the County of Arapahoe and Territory of Colorado do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Edward M. McCook

Sworn and subscribed before me this fifteenth day of June A.D. 1866.

Int. Rev.
Stamp
6 Cents

Moses Hallett
Chief Justice Supreme
Court Col. Ter'y

[illegible]
F Hall

Territory of Colorado } ss
County of Arapahoe }

I Frank Hall of the County of Gilpin and Territory of Colorado, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Frank Hall

Sworn and subscribed
before me this fifteenth day
of June A.D. 1869.

Moses Hallett
Chief Justice Sup
Court Col Terry

5 ct Rev
Stamp

## Requisition for a Fugative from Justice

Executive Department
Colorado Territory

To His Excellency the
Governor of Wyoming
Territory:

It appears by the annexed papers which I hereby certify are duly authenticated according to the Laws of this Territory; that H. J. Pierce stands charged with the crime of Larceny, and it has been represented to me that he has fled from the Justice of this Territory and has taken refuge in the Territory of Wyoming:

Now therefore I Edwin M. McCook Governor of Colorado Territory in virtue of the authority vested in me by the Constitution and Laws of the United States do by these presents demand that the said H. J. Pierce be apprehended and confined in some jail of your Territory there to await the coming of the authorized agent of this Territory who will return him to this Territory that he may abide his trial for the crime with which he stands charged.

L. S.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed this tenth day of July A. D. 1869

Edwin M. McCook
Governor of
Colorado Territory

F. Hall.
Secretary

Executive Department
of Colorado Territory

To W. W. Roles the Agent
of Colorado Territory:

Whereas it has been made to appear to me from an Affidavit this day filed in this Department that on or about the day of July A.D. 1869 One H. S. Pierce did commit a Larceny in this Territory and has fled to the Territory of Wyoming: and Whereas: I have this day made my Requisition upon His Excellency the Governor of said Territory of Wyoming for the Body of the said H. S. Pierce:

These therefore are to authorize and command you to receive the Body of the said H. S. Pierce from the authorities of Wyoming Territory aforesaid, and forthwith bring him within this Territory and deliver him to the Sheriff of Arapahoe County to be dealt with according to Law. Hereof fail not at your peril.

L. S.

Given under my hand and Seal of the Territory this tenth day of July A.D. 1869.

Edwin M. McCook

Governor of
Colorado Territory

Executive Department
Colorado Territory

To
Shelton M. Grimes
Sheriff of Gilpin County, Greeting:

Whereas one George Smith was, by the Sentence of the Supreme Court of Colorado Territory at the July Term A.D. 1869, sentenced to be hanged on Friday the Thirteenth day of August Instant, for the crime of Murder, whereof the said George Smith was convicted by the District Court of the Second Judicial District sitting within and for the County of Gilpin:

and Whereas we have been petitioned to commute said sentence to Imprisonment for life:

and Whereas further time is required by us to consider said application;

Now therefore for the purpose aforesaid we Respite the Execution of said Sentence until Friday the Tenth (10th) day of September A.D. 1869, and hereby command you to delay the Execution thereof until said day, unless in the meantime we shall otherwise direct.

L. S.

Given under our hand and the Great Seal of the Territory of Colorado in the City of Denver this Ninth day of August in the year of Our Lord One thousand Eight Hundred and Sixty Nine.

Frank Hall
Acting Governor
Colorado Ter.

Executive Department
Colorado Territory
Sept 6th 1869

To Shelton M. Grimes
Sheriff of Gilpin County; Greeting;

Whereas, one George Smith, was by the sentence of the Supreme Court of the Territory of Colorado, at the July Term A.D. 1869, sentenced to be hanged on Friday the thirteenth (13th) day of August A.D. 1869, for the crime of Murder, whereof the said George Smith was convicted by the District Court of the Second Judicial District sitting within and for the County of Gilpin; and whereas, by competent authority the execution of said sentence was delayed until Friday the tenth (10th) day of September A.D. 1869 And Whereas: the attorneys for said George Smith have represented that they will make application at the January Term A.D. 1870, of the Supreme Court of Colorado Territory for a rehearing of the cause of said George Smith and that they have good grounds for said application;

Now therefore, for the purpose aforesaid, I delay the execution of said sentence until Friday the Eighteenth (18th) day of February A.D. 1870.

L.S.

Given under my hand and the Great Seal of the Territory of Colorado in the City of Denver this Sixth day of September in the year of Our Lord One Thousand Eight Hundred and Sixty Nine.

Edward M. McCook
Governor of Colorado Territory

Attest
Frank Hall
Secretary of the Territory

# Thanksgiving Proclamation

In accordance with a wise and Christian usage inaugurated by our forefathers, and in conformity with a Proclamation issued by the President of the United States, I, Edward M. McCook, Governor of the Territory of Colorado, do hereby appoint and set apart as a day of Public Thanksgiving and Praise, Thursday the 18th day of November A.D. 1869; and I do hereby earnestly recommend to all the people of this Territory, that upon that day, in the Churches and at the family altar, we each and all, with a full sense of our dependence upon Him who is the giver of every good and perfect gift, unite in thanking God for His goodness towards us during the year that has passed, and humbly ask for the continuance of His favors and blessings.

Seal

Given under my hand and the Seal of the Territory, in the Executive Chamber at Denver, this 22nd day of October in the year of Our Lord One Thousand Eight Hundred and Sixty Nine

Edward M. McCook

By the Governor
Frank Hall
Secretary of Territory

Executive Department
Colorado Territory
June 23d 1869

Hon D D Belden
Denver Col

Sir;

Your letter of the 17th instant containing a tender of your resignation of the office of Councilman in the Legislative Assembly of Colorado Territory has been received, and said resignation is hereby accepted.

I have the honor to be
Your very Obedient Servant
Edward M. McCook
Governor

---

Executive Department
Colorado Territory
June 23d 1869

His Excellency
Charles Durkee
Governor of Utah.

Sir;

I have received a petition from some of the most respectable citizens of this Territory requesting me to intercede with you for the purpose of procuring a respite in the execution of the sentence of Charles P Howard now under sentence of death in your Territory.

They state that they have representations in his case which they desire to make to the President and Yourself. I would therefore most earnestly intreat that you so far exercise the power vested in you as to grant a respite until you can hear and consider what the friends of the unfortunate man have to represent.

I have the honor to be
Your very Obdt Servant
Edward M McCook
Governor

Executive Department
Colorado Territory
June 28th 1869

Hon Frank Hall
Secy &c
My Dear Sir!

I have the honor to request that you will accompany Col Schofield U.S.A. in his trip to the South East for the purpose of selecting a location for a Military Post.
Your familiarity with the country will make your suggestions valuable; and other official engagements will render it impossible for me to go. If you find it consistent with your other duties to comply with this request your expenses will be paid out of my Contgt fund

Yours &c
Edward M McCook
Gov &c.

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Executive Department
Colorado Territory
July 8th 1869

Hon Jacob D Cox.
Secy of the Interior.
Sir!

At the request of Mr D C Oakes. I have the honor to forward a petition of the most prominent citizens of Colorado concerning his restoration to the position of Indian Agent. I have written fully to Genl Parker in the matter; and also addressed a personal letter on that and other subjects

I have the honor to be
Your very Obt Servant
Edward M. McCook
Governor

Executive Department
Colorado Territory
July 6th 1869.

T M Smith Esq
La Porte Col Terry
Sir!

I herewith enclose a copy of a letter from the Governor of Utah, in answer to my letter interceding with him in behalf of Jas P Howard, under sentence of death in his Territory.
It gratifies me exceedingly to communicate to Howards friends the fact that my intercession has not only resulted in a respite as they desired, but in a commutation of his sentence to imprisonment for a term of years.

Yours very truly
Edward M McCook
Governor

---

Executive Department
Colorado Territory
July 29th 1869.

Hon John A Rawlins
Secy of War
Sir!

I have the honor to enclose for your action a petition signed by some of the most influential citizens of Colorado asking an investigation concerning certain offenses alleged to have been committed by John R Brook and William A Bainbridge two officers of the Army of the United States.
Copies of an indictment found against these persons and also the affidavit of John Smith the complainant are likewise enclosed.
I would most respectfully ask that the matter may receive your attention at an early day.
I have the honor to be
Your very obt Servant
Edward M McCook
Governor

Executive Department
Colorado Territory
August 9th 1869.

To Pelton M. Grimes
Sheriff of Gilpin County Greeting;

Whereas one George Smith was by the sentence of the Supreme Court of the Territory of Colorado at the July Term A.D. 1869 sentenced to be hanged on Friday the Thirteenth (13th) day of August inst. for the crime of Murder. Whereof the said George Smith was convicted by the District Court of the Second Judicial District sitting within and for the County of Gilpin.

And whereas we have been petitioned to commute said sentence to imprisonment for life:

And Whereas further time is required by us to consider said application;

Now therefore for the purpose aforesaid We Respite the Execution of said sentense until Friday the tenth (10th) day of September A.D 1869. and hereby command you to delay the execution thereof until said day unless in the meantime we shall otherwise direct.

Given under our hand and the Great Seal of the Territory of Colorado in the City of Denver this Ninth day of August in the Year of Our Lord, One Thousand Eight Hundred and Sixty nine

Frank Hall
Acting Governor.

Executive Department
Colorado Territory
August 10th 1869

Wm H. Meyer Esq
Clerk of Costilla County C.T.

Sir;

I have the honor to acknowledge the receipt of your letter under date of the 1st inst. making inquiries relative to the Boundary line recently established by the United States between the Territories of Colorado and New Mexico and its probable effect upon the County of Costilla C.T.

In order that the matter might be fully and clearly defined, I addressed a letter to the Surveyor General on the subject a copy of which - together with the General's reply is herewith transmitted.

With this correspondence before us it is proper to say that the local authorities of Costilla County must confine their jurisdiction to that portion of the County lying North of the newly established line, and in all future Elections permit no Precinct or Precincts to be fixed or votes polled for said County South of the proper boundary.

All Officers of the County residing outside of the principal limits must vacate their offices and their places be supplied at the coming September Election. As this rule may in some measure destroy your County organization by removing some of its officers you will please forward at [your] earliest convenience a list of such vacancies with the names of persons whom you desire to have appointed.

Should there be two commissioners residing within the new limits there will be no necessity for any appointments to be made.

Very Respectfully Yr. ob't Servt
Frank Hall
Acting Governor

Telegram

Denver August 31st 1869

Hon Moses Hallett
Pueblo

I have received numerous petitions for the commutation of Smith's death sentence, and for the reasons I stated in your office, I will decline to interfere with a judicial sentence unless recommended by the judge who tried him. Have you any recommendations to make? Is Smith idiotic as some state?

E. M. McCook

---

Edward Pearson
C.R. 4th
P. 412 - the Vol

Denver Sept 3d 1869

Revd J H Adams
Central

The sentence of George Smith will not be commuted

Edward M. McCook

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Executive Department
Colorado Territory
Jany 1st 1870

Hon Frank Hall
Secy of State

Sir

I herewith transmit to you the Certificates of Election of members of the Territorial Council and House of Representatives, made out by me in conformity to the certificate of the Territorial Board of Canvassers. I have not transmitted any certificate for Councilman for the 3d Council District, because from the report of the Board of Canvassers I am unable to determine to whom the Certificate of election properly belongs. Consequently I will transmit such papers in the case as are now in my possession to the President of the Council so soon as that body organizes believing that both parties claiming the seat would prefer that their respective claims should be originally adjudicated by the body to which both claim to have been elected

I have the honor to be
Your very Obt Svt
Edward M. McCook

# Message

Fellow Citizens of the Council and House of Representatives:

Custom has devolved upon me the duty of communicating to you the condition of our Territorial affairs. This duty I shall discharge as briefly as possible; and in the beginning of our official intercourse I desire to assure you that you will have my earnest cooperation in the discharge of those important duties and the advancement of those public interests which the people of the Territory have confided to your care.

## Finances

The finances of the Territory are in a most satisfactory condition. We are out of debt and have a surplus of over twenty seven thousand dollars in the treasury.

I call your attention to the various suggestions in the Auditor's report and respectfully recommend the appointment of a Legislative Commission whose duty it shall be to adjust those discrepancies between the accounts of the Territorial Auditor and Treasurer, which arose during the year 1867 and have never yet been satisfactorily reconciled: The law already makes the Auditor the general accountant of the Territory and the keeper of all public account books, accounts &c. It seems to me that in order to insure a faithful and intelligent discharge of his arduous duties he alone should be responsible for the expenditure of all money paid out of the Territorial Treasury.

It has been found impracticable to keep a proper check on the Treasury, or a satisfactory record of public accounts, while any other than the officer whose duty it is to audit such accounts is permitted to draw money from the Treasury, without first passing the drafts through the hands of the Auditor.

I would also ask your attention to the suggestion of the Auditor concerning semi-annual settlements of County treasurers. Some legislation should be devised to compel a prompt settlement of their Territorial accounts, and also to insure a uniform method of keeping the same.

## Indian Affairs.

It is a source of profound congratulation to the citizens of Colorado, that during the past year the Territory has been entirely free from the incursions of marauding bands of hostile Indians. For the first time in many years the miner, the ranchman and the herdsman have been permitted to pursue their avocations in peace; and there is reason to hope that another year will see a cessation of the petty annoyances which have from time to time been inflicted by the presence of peaceful Indians in our midst. The benevolent policy of the President has already given proof of the wisdom that dictated its inauguration, in the increased security to life and property upon our borders, and will I believe finally result in the absolute exemption of the whites, as well from the horrid atrocities of savage warfare, as from the insufferable nuisance of periodical pacific visits. The inception of a new system and a new policy I have found attended with many difficulties, for no race is so jealous of its rights, so tenacious of established customs and so insensible to gratitude as the Indian; and while under the wise administration of my predecessor, treaties were made with the Utes, providing reservations for their future homes, and securing ~~prepa~~ ~~to~~ appropriations for the erection of agency buildings, yet so far the provision made for supplying their wants has not proved a sufficient inducement to keep them on their reservation and lead them to abandon their precarious mode of living. The experiment of colonizing them is an experiment still; but I have faith in its success and believe that as soon as the Indians find that they have a home where all their wants will be supplied through the fostering care of the government, they will be willing to accept of the situation, and free the settled portions of the Territory forever from their presence. The task imposed upon this department is a thankless one; and I need not remind you gentlemen who were the pioneers of civilization in Colorado, and who have a thorough understanding of Indian character, of the difficulties in the way of every attempt to awaken energies that have slumbered for ages, or overcome vicious habits induced by centuries of unrestricted freedom and demoralizing indolence. This is a question which deeply concerns every citizen of the community and one upon which depends the peace, prosperity and security of the Territory. Since the discovery of America Indian wars have been the inheritance of every succeeding generation, and from Massachusetts to California every state and territory has experienced the horrors of savage hostilities, and been built upon a foundation of blood and suffering. I know that every good citizen is inimical to the repetition of these scenes, but I am satisfied that attempts are being made by designing adventurers ~~to~~ to create such disposition belonging to this Territory as may possibly lead to future outbreaks; and as the laws of Congress are defective in this particular I would recommend that such laws be enacted by the present Legislature as will insure the punishment of this class of offenders, if it be possible to frame a law of sufficient security to provide retribution for a crime so horrible.

## The Reservation System

Although the Reservation set aside by the treaties comprises a large and valuable portion of the Territory, which if opened to white settlers would undoubtedly attract emigration and add to our material wealth, yet as a most effective measure of peace, we are bound to respect the stipulations of the treaties and preserve the faith of our government which is pledged to a policy that secures justice to the Indians. They have been given the exclusive occupation of these lands; and although it may be impossible during the present generation to teach them all the arts of civilized life, and change a race of vagrant consumers into the producers of the elements of wealth, yet I believe that much can be done towards realizing the intentions of the Government by maintaining a kind and liberal policy towards those who show themselves our friends, and pursue a firm and relentless one towards such as prove our foes. In peace we of the Territories find our prosperity, and another year's freedom like the past from savage intrusion will I believe double our population. It may become possible in the future to restrict the Indians to so much land for each member of a tribe as will give him a support when devoted to agricultural or pastoral purposes, and thus leave the remainder to be thrown open for settlement. If anything can teach the friendly Indians of our Territory the benefits of civilized life, this will; and the direct contact with civilization which would follow the dismemberment of his tribal relations might accomplish for the individual

Indian, such as the best efforts of the government has failed to do, so long as tribal organizations have been recognized and the idea of self independence ignored.

I hope the day is not far distant when Congress will be convinced of the justice of reimbursing those who have suffered in property from Indian outbreaks. It seems to me that it should be a sacred duty of that body to make good the losses incurred by individuals from those depredations.

I have devoted more space to this particular topic than I otherwise should, because your interest and the interest of every citizen of the Territory is a deep and personal one in all matters pertaining to the Indian policy of the government; to the fulfilment of which policy I pledge my earnest endeavors and ask for such cooperation as you can give in my administration of the affairs of this important department.

## Unorganized Territory

On the reorganization of the counties of Pueblo, Huerfano and Las Animas at the last session of the Assembly, a large district of country lying south of Douglas and East of El Paso Counties, were inadvertently left unattached to any county and without civil organization. Early in April last three colored men soldiers of the United States, viz: Rice Lidge, Marshall Williams and John Murry were arrested by the marshall of the Territory upon complaint that they had murdered one Crevier, at or near the Big Springs and within the district of country before referred to. Subsequently upon an examination had before the judge of the third judicial district it was ruled that although the laws of the Territory were effectual within the before mentioned district for the punishment of crime, yet as that region had not been incorporated into any County, there was no court invested with the necessary jurisdiction to try the prisoners; consequently they were committed to await the action of the Legislative Assembly. For the punishment of these and other alleged offenders against the criminal laws in that region, as well as to provide for the proper administration of the civil law hereafter, it will be necessary to incorporate that district ~~hereafter~~ into some County. There is also a question respecting the expenses of keeping the prisoners named which demands the attention of the Assembly. As the offence was not committed within the limits of any County, of course no County is chargeable with this expense; and it has therefore become a charge upon the Territory, to meet which an appropriation will be necessary.

## General Incorporation Act.

An Act amendatory of "An Act to provide a temporary government for the Territory of Montana" approved March 2, 1867 provides in section first:

"That the Legislative Assemblies of the several Territories of the United States of America, shall not after the passage of the act grant charters or special privileges; but they may by general incorporation acts permit persons to associate themselves together as bodies corporate for "Mining, Manufacturing and other Industrial pursuits""

Would not this law be more just in its application if the Legislatures of the several Territories were permitted to pass General Incorporation Acts without any limitation [illegible] as to the purposes or object of the corporation, thus leaving it to the Legislature to impose limitations or not.

they see fit? As this law now stands I take it that every legal incorporation must be either for mining, manufacturing or industrial pursuits, while associations of a financial or beneficial character, such as insurance companies, savings banks and the like cannot be incorporated at all; and the citizens of the Territory are compelled to transact all business of this character through the medium of foreign corporations organized under the laws of other states. It keeps capital from our Territory which would naturally come here because of the lightness of our taxation. I am sure Congress never intended to impose such disabilities upon the people of a Territory, and think that a proper memorial from your body would lead to a change in the law.

## Militia

I would recommend that the whole of the present military poll tax provided for by law be paid into the Territorial Treasury, and be devoted exclusively to military purposes, and expended under direction of the Legislature in such manner as their wisdom may devise. If the collection of this tax could be strictly enforced, it would place at your disposal a fund which in case of emergency would contribute at least something towards the equipment of volunteers for the defence of the Territory.

I call your attention to the recommendations contained in the last report of the Adjutant General, in relation to the issue of Ordnance and Ordnance Stores. The Secretary of War has officially called my attention to the fact that the Territory has received $1884.05 in excess of their quota of arms; and as it is not probable we will be permitted to draw any more for some time, some provision should be made by the Legislature for the custody of arms already in our possession, and for their issue under such restrictions only as will secure their safe keeping and ultimate return.

The record of our Military history during the late war is incomplete. I would suggest the propriety of making some provision for procuring from the files of the Department at Washington transcripts of such papers as may be needed to compile a complete history of the services of all Colorado troops. In 1866 one thousand dollars was appropriated for this purpose but the duty was never performed; at least no official record of the fact is on file in this office or the office of the Adjutant General. This is the only State or Territory in the Union which possesses no record of the services of those brave men who offered their arms to the Government in its time of need; and the very smallest tribute we can offer to their patriotism will be to preserve among the archives of our Territory some fitting record of their services and sacrifices.

The Commissioner appointed to settle with the United States and receive any money allowd by the War Department to the Territory or its citizens for ~~its~~ military services during the years 1864 and 1865 has submitted his report to me and it is herewith transmitted; as the time fixed by law for the payment into the Territorial Treasury of any unclaimed money belonging to this fund will expire before the meeting of another Legislature it will be necessary to make some provision for disposing of the surplus or extending the time for the payment of these Military Certificates.

Although the United States Military Authorities have promised me that a body of cavalry shall be sent into the Territory early in the Spring to remain during the Summer and Fall, yet I would recommend that some encouragement be given by the Legislature to the formation of volunteer organizations. We need an organized and disciplined body of men, no matter how small in number, who belong to the Territory and will be ready at all times to respond to the call of the Territory for defence against the Indians.

## Election and Registry Laws

The general Election and Registry Laws should be harmonized one with the other and with the existing laws of Congress in relation to suffrage. I should think that the Legislature would find no difficulty in simplifying ~~both~~ and condensing both these laws, that hereafter many of the minor difficulties which have been experienced in their administration may be avoided. If practicable these laws should be so simplified that no misapprehension can possibly arise as to their meaning. In this connection I would call your attention to an Act of Congress approved March 3d/1869 which provides that hereafter the members of both branches of the Legislative Assemblies of the several Territories shall be chosen for the term of two years, and the sessions of the Legislative Assemblies shall be biennial. And each Territorial Legislature shall at its first session after the passage of this act make provision by law for carrying this act into effect.

The words "not being a negro or Mulatto" in the second line of the first Section of a Territorial act regulating elections approved November 5th/1861 should be expunged as they are rendered nugatory by an act of Congress. I would also recommend that the Legislature shall distinctly define what shall be deemed a vacancy in the Legislature under the Territorial law of Nov 5,/1861.

# Agriculture Mining &c.

I find that the popular belief abroad is that Colorado is only a country of mountains and of mines; the fertility of our soil and the great wealth yet to come from it has been overlooked or forgotten in the thought of the sleeping ores yet unclaimed and undeveloped. It is of very little importance what the country is to day in comparison with what it will be in the future. Our mines make the present of the country, but our agricultural and pastoral resources must to a good extent constitute the future. The soil is the source of material prosperity. All that can be raised in the temperate zone will grow here in profusion, and the soils and climate are such that the same amount of labor will produce more than in any other portion of the Union. Volunteer crops of thirty bushels to the acre have been raised in the northern part of the Territory: and so soon as we have the knowledge which years of experience alone can give, I believe that no other country can surpass this in the profitable production of cereals.

The grasses throughout the whole Territory are abundant and nutritious; that stock raising is destined to be one of the most essential elements of our permanent prosperity. The natural increase of stock in the Territory is hundreds of cattle nearly eighty per cent per annum. As there is almost no limit to the pastoral capabilities of the country, so there should be no limit to the increase of stock. The natural grasses of our hills and valleys are equal in nutritious qualities to the timothy or other cultivated grasses of the East, and their abundance is such that the herds of [illegible] have fed here through [illegible] the winters [illegible] that the cutting of hay is unnecessary.

I am satisfied that not only the peach, apple, plum and cherry, but almost every variety of grape can be raised in one or the other parts of the Territory; the volcanic soils in the southern portion will produce a wine raising grape equal in quality or quantity to that of California or Italy. The rude and unskilled cultivation already attempted has produced a red wine equal in flavor to some of our imported wines, and I think that with proper care and culture the grape in the southern portion of the Territory will reach the highest perfection and wine growing become one of our most profitable industries.

The very complete report of the Agricultural Society furnishes many statistics of general interest and gives undoubted proofs of the attractions of our Territory offers to the farmer and stock raiser. The value of our crops in 1868 was $2,683,841.20. in 1869 $3,151,160.00. The number of acres capable of being placed under cultivation with the present means of irrigation is estimated at six millions, an amount which gives a productive capacity equal to any of the best and most populous states of the West.

The product of our mines as shown by statistics gives a gratifying exhibit of the progress of this branch of our industry. The amount of Bullion produced in 1869 is more than double the product of 1868; and although only about one fifth of the product of the mines passes through the mint, the deposits in the Branch Mint at Denver show an amount of $1,195,452.03 for 1869 against $556,595,56 for 1868.

The Territory is deficient in manufactures and any encouragement which the Legislature can give to this department of industry will prove a public benefit. The financial history of all countries will show that no country was ever enriched by the production of raw material for exportation alone but that manufactures and mines are necessary for the support of a large population who will consume the agricultural products of the Territory where they are raised.

## Public Instruction

As the Territory increases in population and advances in intelligence, the necessity of some well digested scheme of public instruction becomes more apparent. There could be no greater inducement offered to attract a desirable eastern and foreign emigration than the fact that we possess a good common school system. Free schools are just as necessary to work out the great problem of popular government as free speech or a free press. The fund provided for schools is I believe already ample; but the educational experience of older communities has taught that thorough organization and discipline lies at the foundation of all successful systems of instruction; and in order to secure these it will be necessary to place the schools under the supervision of some person whose experience and capacity will fit him for the task. I would therefore recommend that some provision be made by law for creating the office of Superintendent of Public Instruction, who shall be invested with such authority as may be necessary to carry out the intentions of the Legislature, and paid a sufficient salary to secure the services of some person fully competent to discharge the duties of the position. Should the Legislature see proper to adopt this suggestion, I think it would be necessary in order to assure the efficacy of the system, to make the Territorial Treasurer the custodian of the entire school fund; which shall be disbursed only upon the draft of the Superintendent under such restrictions as the Legislature may impose.

Should the Legislature conclude to maintain a Library, the Superintendent of Public Instruction might be made ex officio Territorial Librarian. The library as now constituted is not creditable to the Territory in any respect; and it had better be either abolished at once, or proper provision made for its care and maintainance.

Compensation of Territorial Officers.

The compensation of some of the Territorial Officers I regard as insufficient. The salary of the Auditor is one thousand, and that of the Treasurer, six hundred dollars a year. The growing responsibility of these offices, and the yearly increasing importance of the public interests committed to their care, demands that the undivided attention of the incumbents should be given to their respective duties; and this cannot be justly exacted without paying them adequate salaries. The munificent compensation paid by the Federal Government to their Territorial officers should furnish an example of liberality to the Legislature in this respect.

If the continuance of the Territorial Assay Office really be for the benefit of the public at large I cannot understand why the fees received for its labors should not provide ample compensation for that officer. The salary he now receives twenty five hundred dollars per annum is out of proportion with salaries paid other officers of the Territory; and as assaying is a branch of industry by which many other respectable citizens of the Territory gain a livelihood, the public assayer ought to be able to find compensation in his fees as others do who are engaged in the same occupation. If the Legislature decides to continue this office upon its present basis, I would recommend that a Branch Office be established at Georgetown, and in any other mining district in which the necessity may arise and the salary and contingent fund appropriated be distributed among the public assayers of the different districts in proportion to the labor they perform.

I would respectfully call your attention to the fact that although the law in many instances contemplates the possible removal of certain public officers, yet no power has been vested in the Executive or in any other department by which such removal can be effected for malfeasance or any other crime except embezzlement. As the law now is there is nothing to prevent a majority of the Territorial or County Officers from discharging the duties or receiving the pay and emoluments of their office even after being convicted and incarcerated for an infamous crime.

## Election of Federal Officers

While we are compelled to remain in a state of pupilage I think some concessions might be secured from Congress which would be for the benefit of our people. This Territory is no longer a wild and remote region, peopled by lawless men over whom the controlling force of the government is a necessity. The opening of the great continental Railway and its branches, has destroyed the distinctive characteristics of the old frontier. The only frontiers we now have are the frontiers of the Atlantic and Pacific coasts. The changes which ten years have wrought in the character, numbers and intelligence of the population of the Territory render them fit I think to exercise some control over their own affairs. I would therefore recommend that this Legislature memorialize the President and Congress for the passage of a law authorizing the people of the Territory to elect their own Governors and other ministerial officers; and also that the Territorial Delegates be permitted to vote at least upon all questions directly or indirectly affecting the interests of the Territories. The adoption of the measures I suggest would only be the application to us of those broad principals which Congress has been asserting in all its legislation for the past four years viz; The right of the governed to have a voice in the government. If the right of a people constituting any body politic to select their own public servants be a privilege, certainly none are better entitled to that privilege than the men whose sacrifices and successes are written all over every page of the history of every state in the Great West. I do not regard this as a question of any political importance. I simply desire to express my conviction that if we are to be kept any longer in a state of "pupilage" if we are forever to remain organized wards of the government, we are old enough to be treated like well grown children at least, and entitled to receive some of the privileges which belong to our increasing age, intelligence and respectibility. The vote or voice of one delegate in Congress will never be likely to effect any important revolution in the destinies of the country; but to bestow upon him *a vote*, the ordinary adjunct of manhood outside of the ~~states~~ Territories, would give him such additional character and influence with both the ministerial and legislative departments of the general government as will result in infinite benefit to all local interests of the Territory.

## Female Suffrage

Before dismissing the subject of franchise, I desire to call your attention to one question connected with it which you may deem of sufficient importance to demand some consideration at your hands, before the close of the session. Our higher civilization has recognized woman's equality with man in all other respects save one — suffrage. It has been said that no great reform was ever made without passing through three stages — ridicule, argument and adoption. It rests with you to say whether Colorado will accept this reform in its first stage as our sister Territory of Wyoming has done, or in the last; whether she will be a leader in the movement or a follower; for the logic of a progressive civilization leads to the inevitable result of a universal suffrage.

## Rail Roads

Railroad Com.

Since the last meeting of your body a new element of prosperity has been engrafted upon the Territory. In the first Railroad built within our borders we hail a new source of wealth, prosperity and progress. It has come to us as the bow of promise spanning the wilderness between us and the East, and casting before it the light of future greatness and future wealth; but to the legislative mind the advent of these roads will probably only suggest a new element of taxation, and it will be necessary for you to devise some means by which they will be required to bear a fair share of the burdens of the Territorial Government. Your experience will suggest the best methods of accomplishing this in a just and impartial manner. The Territory owes a debt of gratitude to the men who conceived and executed these great public enterprises, as well as to the government which has so generously endowed them. Every encouragement within the sphere of your legitimate power should be given to the construction of railways through all parts of the Territory. They will be the iron rivets to strengthen the framework of a future state. The growth of one section is dependent upon the growth of all. We want railroads into our mines as well as through our valleys; and we can confidently ask at the hands of Congress new land grants to assist their construction, because in these grants the Government has found much profit, and is too wise and too thrifty to neglect any opportunity for turning an honest penny into the public treasury. As the report of the Secretary of the Interior shows that the land revenues of the government have doubled since the adoption of the land grant policy, which has aided in building railroads, we can, with good grace, ask Congress to permit us to still further increase the revenues of the General Government by accepting a grant at their hands for this object. If it be a public benefit to accept these gratuities at the hands of the government, the people and capitalists of Colorado should be willing to assume their full share of this class of patriotic burdens. In our isolated position, the practical organization of a system of Railroads is the only means of assuring our future. The beginning of that system the Territory can already be congratulated upon; and when called to enter the Union of States (if that call ever comes) she will go, not in the weakness of poverty, merely to receive benefits from the new alliance, but rich in flocks and herds; in fruitful vines and yellow crops; her garments bright and heavy with gold and silver and will take her place as an equal, in every way able to —

contribute to her full share to the public wealth and national power.

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## Emigration

For the past two or three years public attention has been especially directed to the great and undeveloped resources of this Territory. Within the past two weeks I have received communications from two German Colonies containing over two hundred families each, and from one containing forty families, informing me of their intention to emigrate here in the Spring. Letters are almost daily received at the Executive Office requesting information as to the agricultural and other resources of the Territory. It is not only our duty to make preparation for the emigration which is coming here next year, but I think also our duty to in some way collect and disseminate substantial information concerning the capabilities of the Country. It is not best for the public press or the public men of any community to hold out false inducements to allure immigration. The reaction against a country is always ruinous, when people seeking information concerning it find that they have been fed on fancies instead of facts; therefore I believe it of vital importance to the future of this Territory that its resources should be properly represented and thoroughly understood. I am satisfied that they will bear the test of the closest scrutiny, and that its agricultural, mineral and pastoral resources will compare favorably with those of any section of the Continent. I would consequently recommend that some provision be made by the Legislature for the publication of all statistics relating to our climate, soil and productions